UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.105/C.2/SR.587
10 April 1995

ORIGINAL: ENGLISH

COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUBCOMMITTEE

Thirty-fourth session

SUMMARY RECORD OF THE 587th MEETING

Held at the Vienna International Centre, Vienna,
on Wednesday, 5 April 1995, at 10 a.m.

Chairman: Mr. MIKULKA (Czech Republic)

CONTENTS

Consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries (*continued*)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of distribution of this document* to the Director, Languages and Documentation Service, room D0710.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

V.95 52896 (E) (b:\1995\oosa.3)

Distr.: 11 April 1995

The meeting was called to order at 10.35 a.m.

CONSIDERATION OF THE LEGAL ASPECTS RELATED TO THE APPLICATION OF THE PRINCIPLE THAT THE EXPLORATION AND UTILIZATION OF OUTER SPACE SHOULD BE CARRIED OUT FOR THE BENEFIT AND IN THE INTERESTS OF ALL STATES, TAKING INTO PARTICULAR ACCOUNT THE NEEDS OF DEVELOPING COUNTRIES (*continued*) (A/AC.105/573; A/AC.105/C.2/L.182/Rev.2 and A/AC.105/C.2/L.197; A/49/20)

1. **Mr. NILI** (Islamic Republic of Iran) said that outer space as a global resource must remain accessible to all countries, and developing countries must be able to take advantage of space technology, mainly for production, planning and environmental purposes. In his delegation's view, outer space, as a common heritage of mankind, should be explored and utilized exclusively for peaceful purposes, and the benefits from space programmes should be shared by a greater number of countries, especially developing countries.

2. His delegation shared the view expressed by other delegations that the peaceful uses of outer space would contribute significantly towards advancing the social development and welfare of all mankind. The use of outer space for peaceful purposes and the development of space technology must proceed through improved scientific and technical cooperation between developed and developing countries. His delegation attached great importance to regional and international cooperation in the field of space sciences.

3. **Mr. MACLURE** (United States of America) expressed his delegation's appreciation of the efforts made by the sponsors of working paper A/AC.105/C.2/L.182/Rev.2 to clarify their proposals, and its belief that the exchange on the working paper in the Working Group on the Benefits of Outer Space had been productive. He also welcomed the addition of working paper A/AC.105/C.2/L.197 submitted by the delegations of France and Germany to the debate; his delegation believed that that document represented a positive counterpoint and beneficial contribution to the Subcommittee's discussions, and that the concepts set out in it reflected the best interests of and the opportunities available to all countries wishing to cooperate in the peaceful use of outer space.

4. He suggested that two questions should be considered by all members of the Subcommittee and the Working Group: the question as to the need for a new framework for international cooperation and the question as to the direction in which the Subcommittee and the Working Group were headed on the agenda item under discussion.

5. His delegation questioned the need for the Subcommittee to elaborate a new framework for international cooperation in the peaceful uses of outer space in view of the existence of the 1963 Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space and the 1967 Outer Space Treaty, and the fact that bilateral and multilateral technology transfer and cooperation already existed among Member States.

6. Secondly, his delegation regarded the agenda item as a point of departure for the exchange of ideas and information on legal aspects of the subject covered by the item, and would not have contemplated the Subcommittee embarking on the negotiation of new instruments incorporating policy and programmatic aspects. It believed that the Subcommittee would benefit from a clear understanding of the proposed goals and applications of the working papers before it.

7. **Mr. EL GHERNOUGUI** (Morocco) said that, while he agreed in principle with many of the ideas contained in working papers A/AC.105/C.2/L.182/Rev.2 and A/AC.105/C.2/L.197, he doubted whether they needed to be discussed separately since they both concerned international cooperation and were aimed at improving it. He wondered whether a small working group should not be set up to study both papers with a view to producing a single document, perhaps at the next session of the Subcommittee.

8. **Mr. WILKE** (Netherlands) said that the Subcommittee, instead of approaching the item on the basis of separate working papers, should concentrate on the principal benefits of outer space activity themselves, namely exploration and exploitation. With regard to the first, his country was in a position similar to that of many of the sponsors of document A/AC.105/C.2/L.182/Rev.2, in that it had no space industry of its own and relied on friendly countries to give its citizens access to knowledge in the fields of space sciences and technology. It welcomed the readiness of the United States of America and other countries with space industries to open their doors to Netherlands students. At present those countries were making a gift of their knowledge; the imposition of a legal framework on that kind of action might prove counter-productive by discouraging them from being so generous.

9. As far as the exploitation of space was concerned, the situation had changed dramatically. Activities such as remote sensing and weather forecasting were entirely the domain of private enterprise, even if subject to a degree of control by national Governments. In view of the steady increase in space-based services offered by commercial companies, it would be interesting to see what common ground existed among Governments about a means of acquainting developing countries with the services and technologies available to them, and about economic assistance for their acquisition. He felt sure that the money could be found to help them acquire space-based services which they needed for their development. He did not see either of those elements present in the two working papers. The best way forward might be for them to be discussed in the Committee itself as matters of principle. His delegation would nevertheless cooperate with others in attempting to elaborate a single document on space benefits in the Subcommittee if the need for one was generally accepted.

10. **Mr. BENTANCOUR** (Uruguay) associated his delegation with the statement made by the representative of Brazil in introducing the working paper contained in document A/AC.105/C.2/L.182/Rev.2, which, as was evident from its structure, sought to reconcile the divergent views on the subject. He also endorsed the view expressed by the Moroccan representative that an attempt should be made to agree on a single document. The submission of the working paper contained in document A/AC.105/C.2/L.197 was evidence that the international community was aware of the need to regulate the question. It was unimportant whether the eventual document took the form of a declaration or a set of principles. His delegation believed that a common understanding on the matter of space benefits was not far off. In any event, some form of regulation or enunciation of the principles which all countries should follow would be better than none at all.

11. **Mr. MULDER** (South Africa) said that sufficient common criteria existed between the two working papers to offer prospects of progress. The fact that the issue of space benefits had been discussed ever since 1989, and that France and Germany had responded to working paper A/AC.105/C.2/L.182/Rev.2 with a contribution of their own, testified to the Subcommittee's willingness to reach some form of agreement. Delegations should concentrate on what the working papers had in common and develop a new document on that basis. He endorsed the statements made by the representatives of Morocco and Uruguay.

12. **Mr. VIVOD** (International Astronautical Federation) said that delegations had spoken of assistance to developing countries, but no one had mentioned the need to help those individuals in countries world-wide who were endeavouring to secure greater recognition of the progressive achievements of space law and technology. Something should be done to help them in any way possible - material, moral or technical - so as to encourage the more widespread appreciation and study of space benefits.

The meeting rose at 11.15 a.m.